

111TH CONGRESS
1ST SESSION

H. R. 305

To amend title 49, United States Code, to prohibit the transportation of horses in interstate transportation in a motor vehicle containing two or more levels stacked on top of one another.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 8, 2009

Mr. KIRK (for himself, Mr. COHEN, and Mr. WHITFIELD) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

A BILL

To amend title 49, United States Code, to prohibit the transportation of horses in interstate transportation in a motor vehicle containing two or more levels stacked on top of one another.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Horse Transportation
5 Safety Act of 2009”.

1 **SEC. 2. TRANSPORTATION OF HORSES.**

2 (a) IN GENERAL.—Chapter 805 of title 49, United
3 States Code, is amended by adding at the end the fol-
4 lowing:

5 **“§ 80505. Transportation of horses**

6 “(a) PROHIBITION.—No person may transport, or
7 cause to be transported, a horse from a place in a State,
8 the District of Columbia, or a territory or possession of
9 the United States through or to a place in another State,
10 the District of Columbia, or a territory or possession of
11 the United States in a motor vehicle containing two or
12 more levels stacked on top of one another.

13 “(b) CIVIL PENALTY.—A person that knowingly vio-
14 lates this section is liable to the United States Government
15 for a civil penalty of at least \$100 but not more than \$500
16 for each violation. A separate violation occurs under this
17 section for each horse that is transported, or caused to
18 be transported, in violation of this section. On learning
19 of a violation, the Attorney General shall bring a civil ac-
20 tion to collect the penalty in the district court of the
21 United States for the judicial district in which the viola-
22 tion occurred or the defendant resides or does business.

23 “(c) MOTOR VEHICLE DEFINED.—In this section,
24 the term ‘motor vehicle’ means a vehicle driven or drawn
25 by mechanical power and manufactured primarily for use

1 on public highways, but does not include a vehicle operated
2 exclusively on a rail or rails.

3 “(d) RELATIONSHIP TO OTHER LAWS.—The penalty
4 provided under this section shall be in addition to a pen-
5 alty or remedy available under any other law or common
6 law.”.

7 (b) CONFORMING AMENDMENT.—The analysis for
8 such chapter is amended by adding at the end the fol-
9 lowing:

“80505. Transportation of horses.”.

